

31 and 30-36 Minerva Ave / 23, 25, 46-50, 51 and 53 Vivian Rd / 62 Jeanette St. / 22 and 23 Gleneita St / 13-25 and 33-37 National St / 31-41, 65-83 and 32 Olga St – Part Lot Control Exemption Application – Final Report

Date:	January 21, 2010
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 36 – Scarborough Southwest
Reference Number:	09 178023 ESC 36 PL

SUMMARY

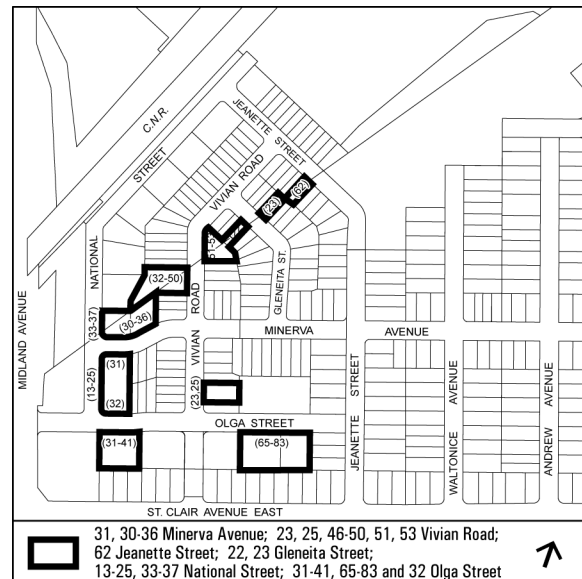
This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to lift part lot control from various blocks and lots on Plans M-2459, M-2470 and RP 1664 in Monarch Corporation's Evergreen Subdivision. The purpose of the application is to enable the separate conveyances of 29 freehold townhouse units and 13 single family detached lots. This report recommends that a part lot control exemption by-law be enacted for a period of two years.

RECOMMENDATIONS

The City Planning Division recommends that City Council:

1. Enact a part lot control exemption by-law with respect to the subject



lands as generally illustrated on Attachment 1, to be prepared to the satisfaction of the City Solicitor.

2. Authorize the City Solicitor to introduce any necessary Bills in Council for a part lot control exemption by-law to expire (2) years from the date of enactment.
3. Require the owner to provide proof of payment of all current property taxes for the subject lands to the satisfaction of the City Solicitor, prior to the enactment of the part lot control exemption by-law.
4. Authorize the City Solicitor to implement the measures necessary to merge title for Blocks 48-51 inclusive on Plan 66M-2459, Blocks 68 and 73-78 inclusive on Plan 66M-2470 and Lots 26, 52 and 53 on Registered Plan 1664 such that the Blocks and Lots merge to form single parcels of residential land, which measures may include introducing a by-law to deem such Blocks and Lots not to be Blocks and Lots on a plan of subdivision.
5. Authorize and direct the City Solicitor to register the part lot control exemption by-law on title.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The blocks subject to this application are part of Monarch Corporation's Evergreen Subdivision. The development consists of two separate plan of subdivision approvals. Both of the plan of subdivision approvals are associated with this part lot control exemption application.

Plan of subdivision approval application no. 04 157926 ESC 36 SB sought approval for 132 residential units, including 59 single detached dwellings, 20 semi-detached dwellings, and 53 street townhouses. There are also partial lots and blocks for single-detached dwellings and townhouse dwellings. These partial lots and blocks are identified on the plan of subdivision as residential reserves and would be developed when they are consolidated with adjacent lands to form whole building lots.

The plan of subdivision approval application was appealed to the Ontario Municipal Board (OMB). A settlement was reached between the owner and the City and the application was approved with conditions by the OMB in a decision issued on October 5, 2006. This subdivision was registered on September 30th, 2008.

The second plan of subdivision approval application (06 191756 ESC 36 SB) secured approval for 115 lots including lots for 83 single-detached dwellings, 32 townhouse

dwelling, and a 0.482 hectare (1.19 acre) block on the northeast corner of Midland Avenue and St. Clair Avenue for townhouses or apartments. There are also residential reserve blocks at the boundaries of the plan of subdivision. Development of the residential reserve blocks would be deferred until they are joined with abutting lands to form whole building lots.

The second residential plan of subdivision was registered on October 19, 2009. A site plan agreement for townhouses on blocks 48, 78 and 68 – 72 inclusive in the approved development was registered on title on November 23, 2009 as Instrument No. AT 2235037.

ISSUE BACKGROUND

Proposal

This application proposes to lift part lot control on blocks 48-51 inclusive on Plan M-2459 and blocks 68 and 71-78 inclusive on Plan M-2470 of Monarch Corporation's Evergreen Subdivision. This application also includes lots 26, 52 and 53 from Registered Plan 1664 which is a previously existing subdivision. The purpose of the application is to enable the separate conveyances of 29 freehold townhouse units and 13 single detached lots (see Attachment 1).

Site and Surrounding Area

The combined size of both subdivisions is approximately 17.5 hectares (43.25 acres). They are situated between Midland Avenue and Brimley Road south of the CN rail line.

The land subject to this application is bordered by a stormwater management area and future residential block to the west, Jeanette Street and single detached dwellings to the east, the CN rail line to the north and a number of commercial and residential uses fronting onto St. Clair Avenue East.

Single detached dwellings and townhouse dwellings are under construction throughout the subdivision. Townhouse dwellings are under construction on blocks subject to this application located on Olga Street and National Street.

Official Plan

The subject lands are designated Neighbourhoods in the Official Plan. Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as single and semi-detached dwellings, triplexes, townhouses and walk-up apartments.

There is a site specific policy in the Official Plan for this area that limits the types of dwellings in the Neighbourhood designation to single-detached, semi-detached and

townhouses, and requires that the Midland/St. Clair Urban Design Guidelines be used when assessing development applications in the area. The townhouse design was approved through the site plan agreement.

Zoning

This area is zoned S - Single-Detached Residential, SD - Semi-Detached Residential and ST - Townhouse Residential and is within the Midland/St. Clair Community Zoning By-law (see Attachment 2). The lands in question have varied zoning performance standards.

Site Plan Control

Townhouse dwellings in the plan of subdivision are subject to site plan control. A site plan for this area was approved on November 23, 2009, consistent with the Midland/St. Clair Urban Design Guidelines.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. No issues were identified as a result of the circulation.

COMMENTS

Section 50(7) of the Planning Act, R.S.O. 1990, as amended, authorizes City Council to adopt a by-law exempting lands within a registered plan of subdivision from part lot control. The subject lands are within a registered plan of subdivision. The lifting of part lot control on the subject lands is considered appropriate for the orderly development of the lands and will facilitate the development.

Since the the subdivison is being developed in 2 phases which were registered seperately, there are a number of residential reserve blocks along the common boundary between the two registered plans of subdivision which must be combined to ensure their orderly development (Attachment 1C and 1D) as per the conditions in the subdivision agreements.

Section 118 restrictions were previously registered on the blocks subject to this application. Authority is being sought to implement appropriate legal measures to accomplish the merger of the residential reserve blocks on title. These measures may include enacting a by-law to deem the blocks to no longer be blocks on a plan of subdivision

To ensure that the part lot control exemption does not remain open indefinitely, it is recommended that the by-law contain an expiration date. In this case, the by-law should expire two years following enactment by City Council. This timeframe provides sufficient time for the completion of the proposed development.

CONTACT

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SIGNATURE

Allen Appleby, Director
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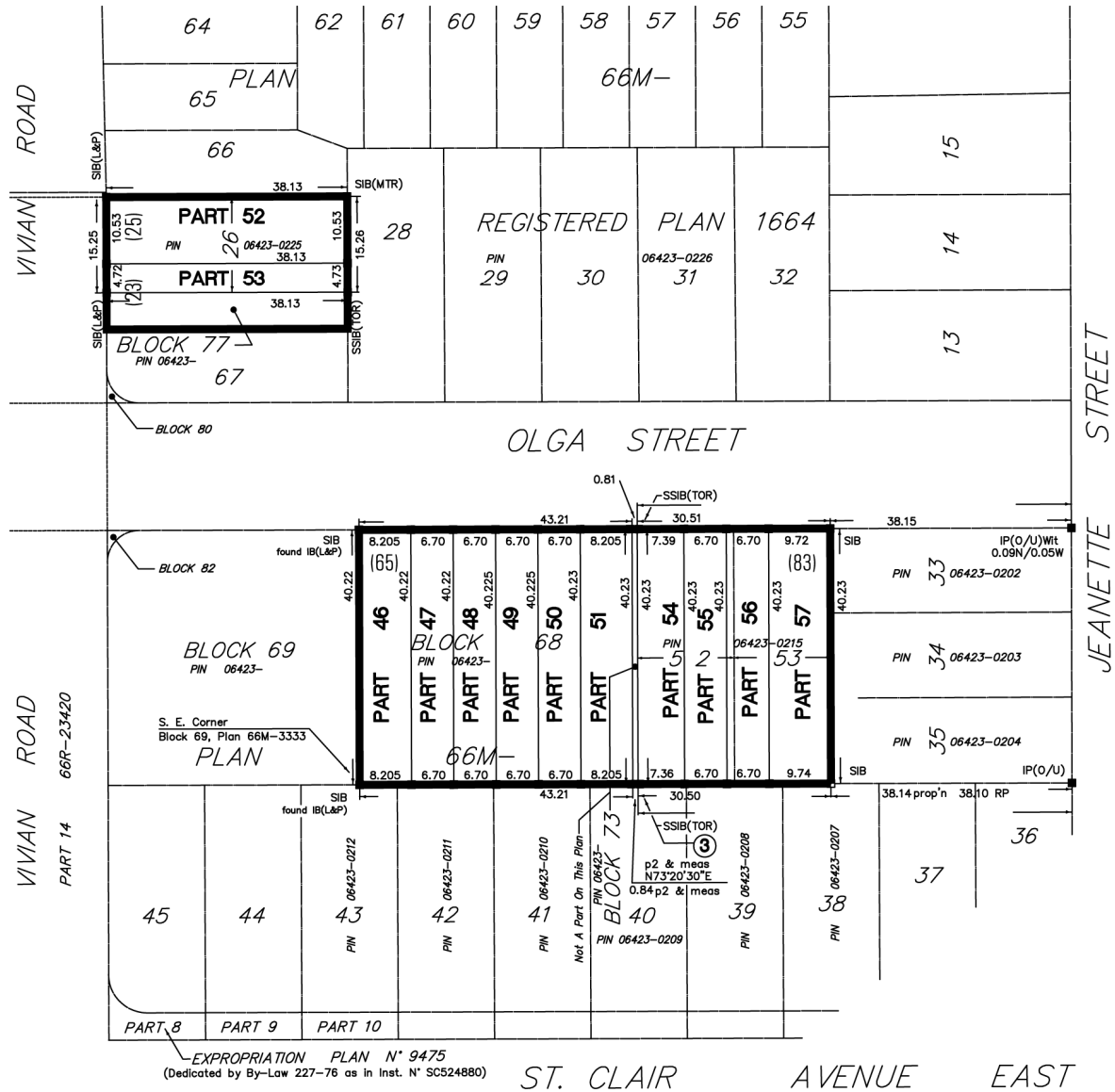
ATTACHMENTS

Attachments 1A-D: Part Lot Control Exemption Plan

Attachment 2: Zoning

Attachment 3: Application Data Sheet

Attachment 1A: Part Lot Control Exemption Plan



Part Lot Control Exemption

Applicant's Submitted Drawing

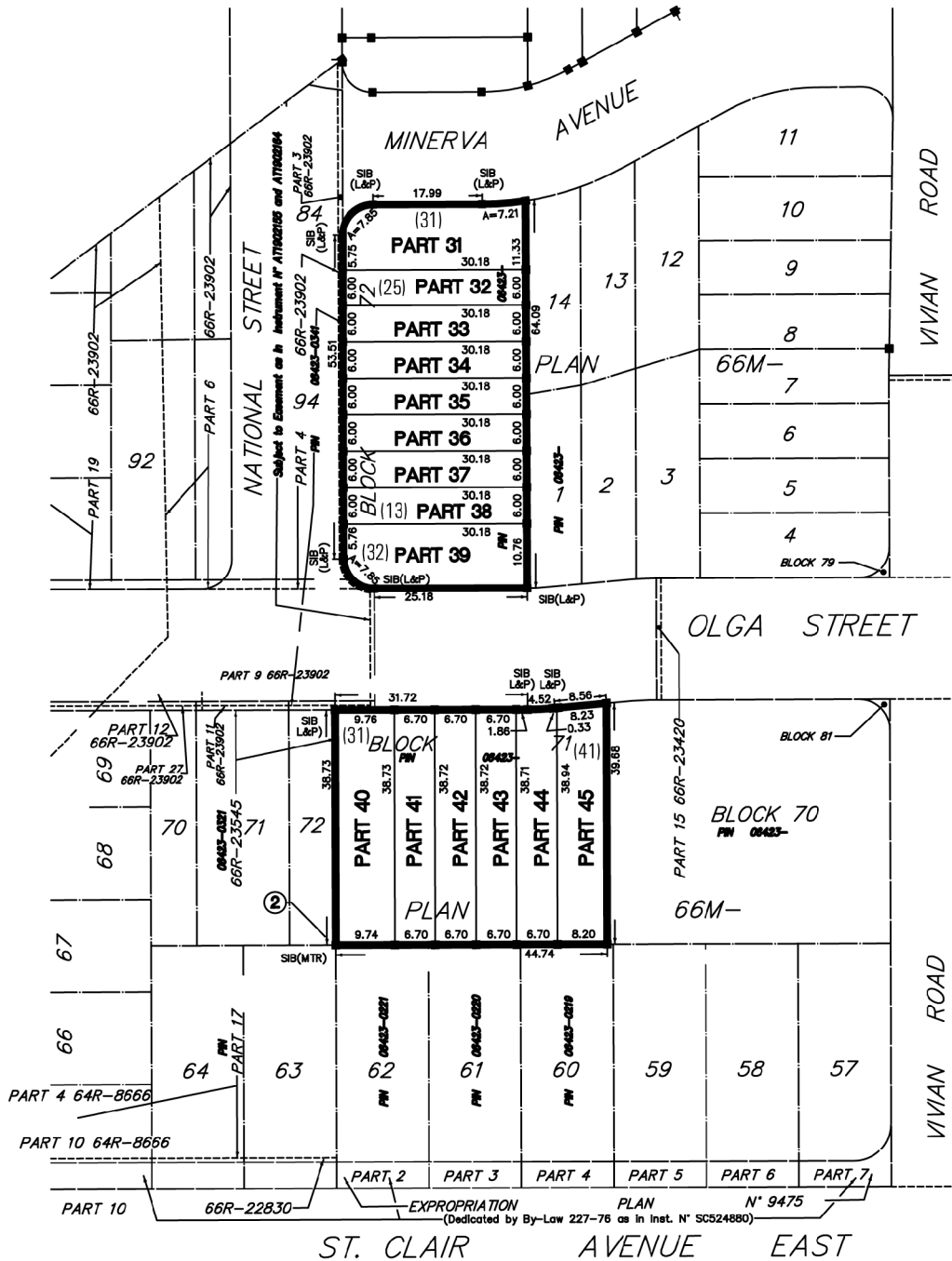
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65-83 Olga Street and
23-25 Vivian Road

File # 09-178023 PL

Attachment 1B: Part Lot Control Exemption Plan



Part Lot Control Exemption

Applicant's Submitted Drawing

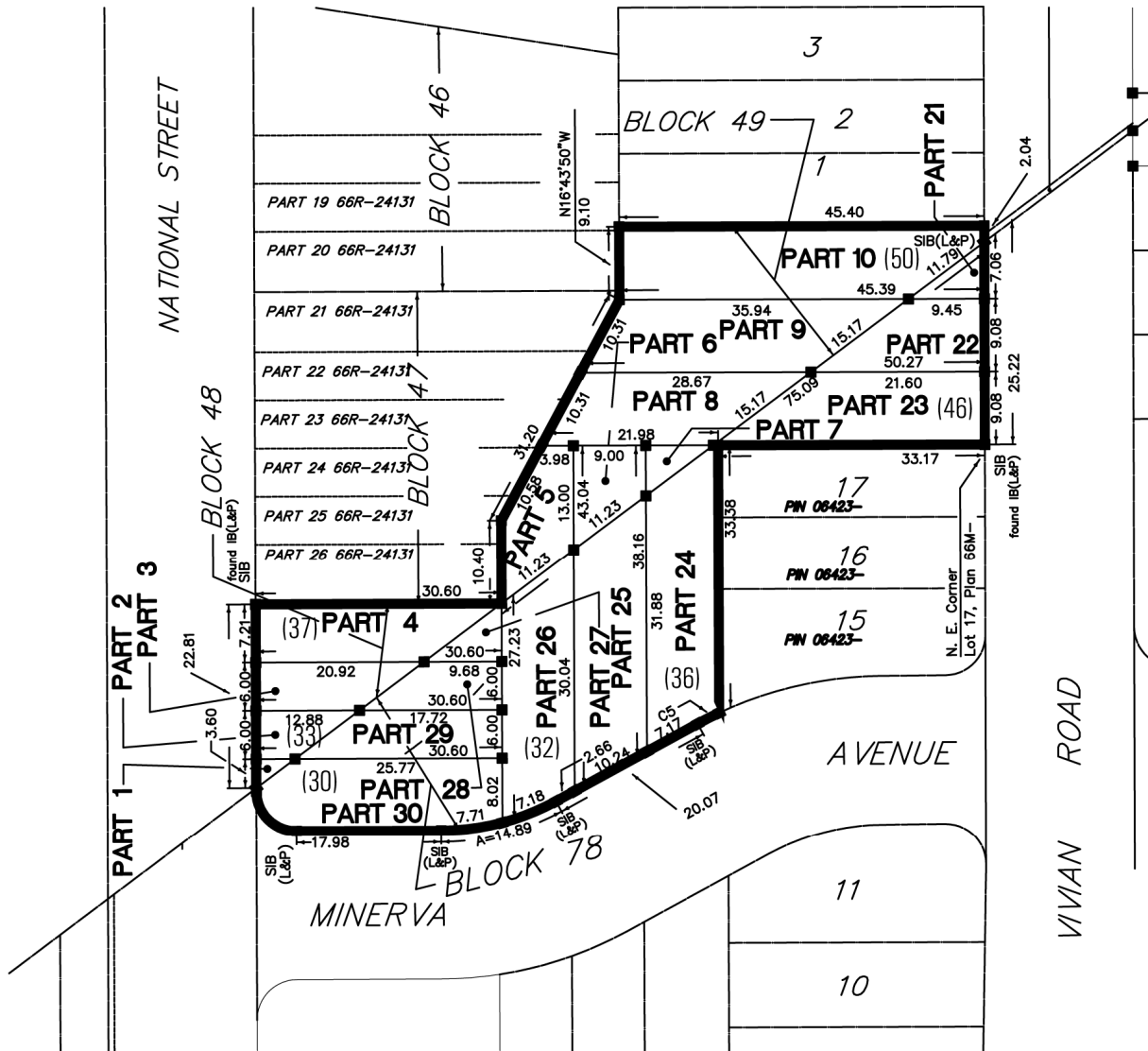
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31-41 Olga Street, 32 Olga Street,
13-25 National Street and 31 Minerva Avenue

File # 09-178023 PL

Attachment 1C: Part Lot Control Exemption Plan



Part Lot Control Exemption

Applicant's Submitted Drawing

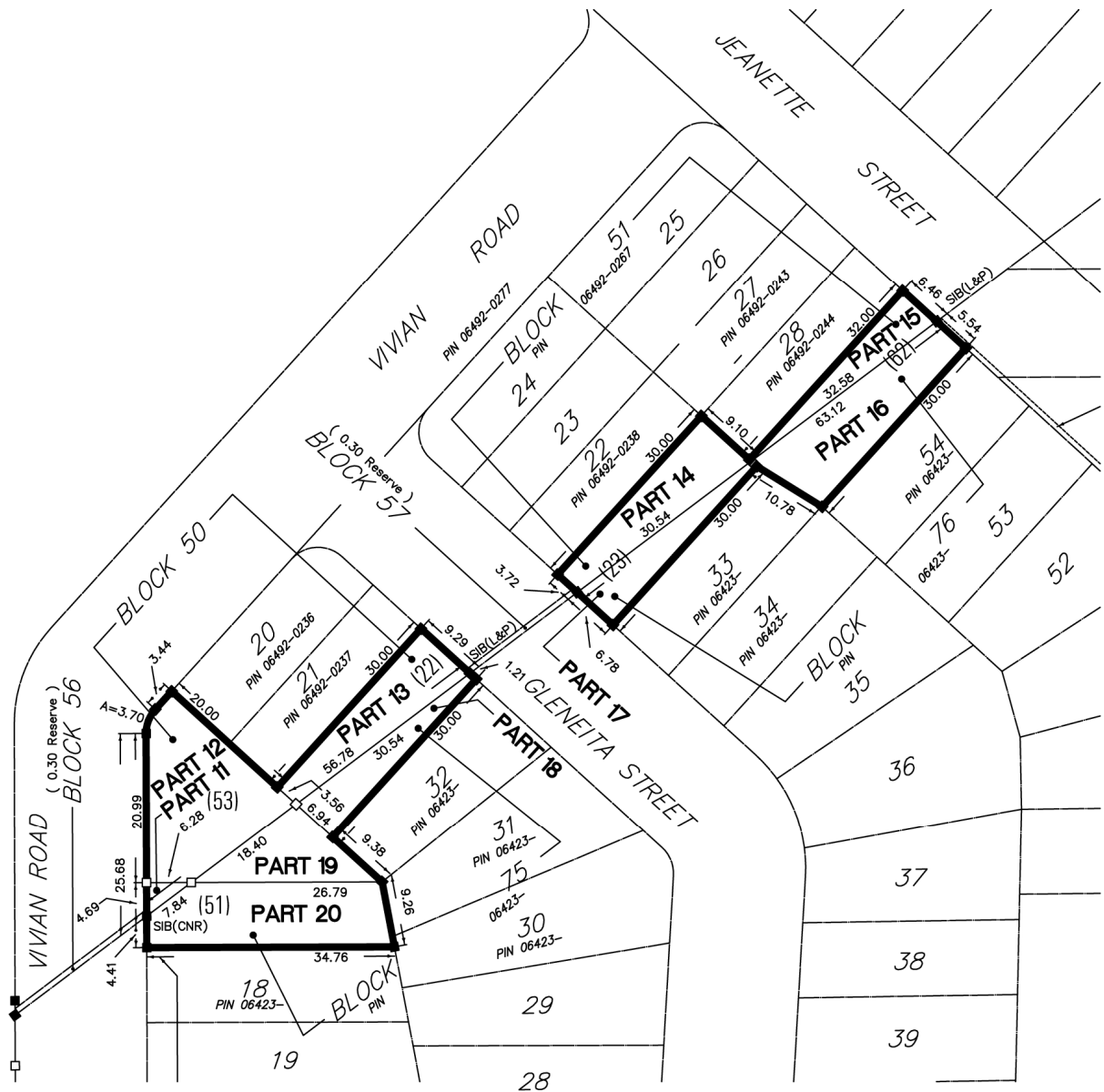
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33-37 National Street, 30-36 Minerva Avenue
and 46-50 Vivian Road

File # 09-178023 PL

Attachment 1D: Part Lot Control Exemption Plan



Part Lot Control Exemption

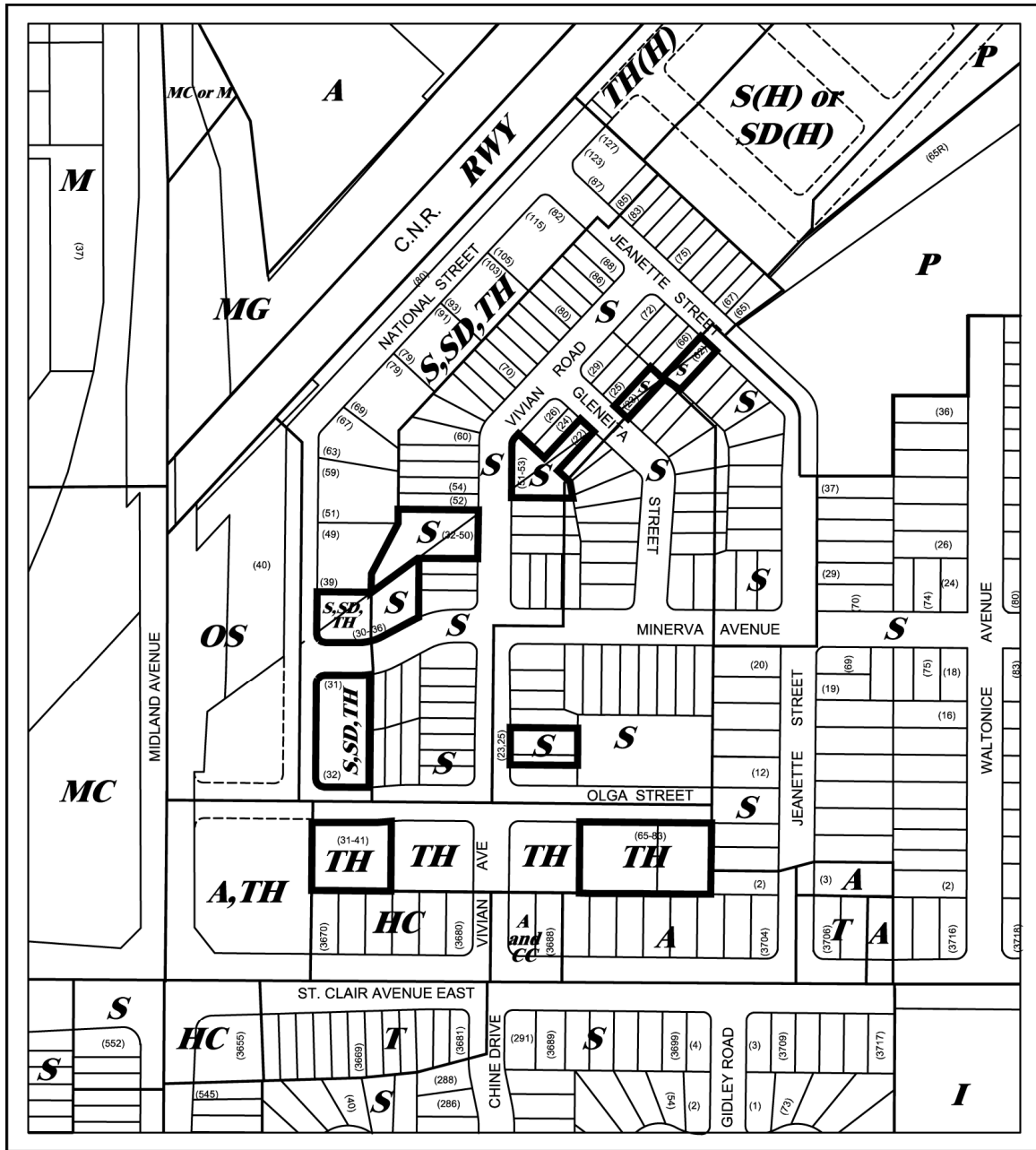
Applicant's Submitted Drawing

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51-53 Vivian Road, 22 and 23 Gleneita Street and
62 Jeanette Street
File # 09-178023 PL

Attachment 2: Zoning



Toronto City Planning
Division
Zoning

30-36 and 31 Minerva Avenue; 23, 25, 46-50, 51, 53 Vivian Road; 62 Jeanette Street;
22, 23 Gleneita Street; 13-25, 33-37 National Street; 31-41, 65-83 and 32 Olga Street

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S Single - Detached Residential
SD Semi - Detached Residential
TH Townhouse Residential
A Apartment Residential
T Two Family Residential

OS Open Space
P Park
RWY Railway Zone
(H) Holding Provision
M Industrial Zone

MC Industrial Commercial Zone
MG General Industrial Zone
HC Highway Commercial
I Institutional Uses

Midland / St. Clair Community By-law
Not to Scale
1/6/10



Attachment 3: Application Data Sheet

Application Type	Part Lot Control Exemption	Application Number:	09 178023 ESC 36 PL
Details		Application Date:	October 13, 2009
Municipal Address:	31 and 30-36 Minerva Ave / 23, 25, 46-50, 51 and 53 Vivian Rd / 62 Jeanette St. / 22 and 23 Gleneita St / 13-25 and 33-37 National St / 31-41, 65-83 and 32 Olga St		
Location Description:	Plan 66M-2470, Plan 66M-2459, Registered Plan 1664		
Project Description:	The purpose of this application is to allow for the creation of 29 freehold townhouse units and 13 single family detached lots within Monarch's Evergreen Subdivision located to the east of Midland Avenue and north of St. Clair Avenue East.		

Applicant:	Agent:	Architect:	Owner:
MONARCH CORPORATION	JASON CHEN		MONARCH CORPORATION

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	S, SD & TH	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	NA	Height:	Storeys:	2 and 3
Frontage (m):	NA		Metres:	
Depth (m):	NA			
Total Ground Floor Area (sq. m):				Total
Total Residential GFA (sq. m):			Parking Spaces:	
Total Non-Residential GFA (sq. m):			Loading Docks	
Total GFA (sq. m):				
Lot Coverage Ratio (%):				
Floor Space Index:				

DWELLING UNITS

Tenure Type:

Rooms:

Bachelor:

1 Bedroom:

2 Bedroom:

3 + Bedroom:

Total Units: 42

FLOOR AREA BREAKDOWN (upon project completion)

Above Grade	Below Grade
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Residential GFA (sq. m):

Retail GFA (sq. m):

Office GFA (sq. m):

Industrial GFA (sq. m):

Institutional/Other GFA (sq. m):

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